



General Assembly

January Session, 2003

Amendment

LCO No. 7516

HB0668207516SR0

Offered by:

SEN. HERLIHY, 8th Dist.

To: Subst. House Bill No. 6682

File No. 813

Cal. No. 558

**"AN ACT CONCERNING SITING COUNCIL REVIEW OF
UNDERGROUND OR UNDERWATER ELECTRIC TRANSMISSION
LINES, RESTRICTIONS ON THE INSTALLATION OF CERTAIN
ELECTRIC TRANSMISSION LINES AND THE ESTABLISHMENT OF
A MUNICIPAL PARTICIPATION ACCOUNT."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 16-50l of the general statutes, as
4 amended by substitute house bill 6508 of the current session, is
5 repealed and the following is substituted in lieu thereof (*Effective July*
6 *1, 2003*):

7 (a) To initiate a certification proceeding, an applicant for a certificate
8 shall file with the council an application, in such form as the council
9 may prescribe, accompanied by a filing fee of not more than twenty-
10 five thousand dollars, which fee shall be established in accordance
11 with section 16-50t, and a municipal participation fee of [twenty-five]
12 thirty thousand dollars to be deposited in the account established

13 pursuant to section 15 of [this act] substitute house bill 6508 of the
14 current session, except that an application for a facility described in
15 subdivision (5) or (6) of subsection (a) of section 16-50i, as amended by
16 [this act] substitute house bill 6508 of the current session, shall not pay
17 such municipal participation fee. An application shall contain such
18 information as the applicant may consider relevant and the council or
19 any department or agency of the state exercising environmental
20 controls may by regulation require, including the following
21 information:

22 (1) In the case of facilities described in subdivisions (1), (2) and (4) of
23 subsection (a) of section 16-50i, as amended by [this act] substitute
24 house bill 6508 of the current session: (A) A description, including
25 estimated costs, of the proposed transmission line, substation or
26 switchyard, covering, where applicable underground cable sizes and
27 specifications, overhead tower design and appearance and heights, if
28 any, conductor sizes, and initial and ultimate voltages and capacities;
29 (B) a statement and full explanation of why the proposed transmission
30 line, substation or switchyard is necessary and how the facility
31 conforms to a long-range plan for expansion of the electric power grid
32 serving the state and interconnected utility systems, that will serve the
33 public need for adequate, reliable and economic service; (C) a map of
34 suitable scale of the proposed routing or site, showing details of the
35 rights-of-way or site in the vicinity of settled areas, parks, recreational
36 areas and scenic areas, and showing existing transmission lines within
37 one mile of the proposed route or site; (D) justification for adoption of
38 the route or site selected, including comparison with alternative routes
39 or sites which are environmentally, technically and economically
40 practical; (E) a description of the effect of the proposed transmission
41 line, substation or switchyard on the environment, ecology, and scenic,
42 historic and recreational values; (F) a justification for overhead
43 portions, if any, including life-cycle cost studies comparing overhead
44 alternatives with underground alternatives, and effects described in
45 subparagraph (E) of this subdivision of undergrounding; (G) a
46 schedule of dates showing the proposed program of right-of-way or

47 property acquisition, construction, completion and operation; and (H)
48 identification of each federal, state, regional, district and municipal
49 agency with which proposed route or site reviews have been
50 undertaken, including a copy of each written agency position on such
51 route or site; and

52 (2) In the case of facilities described in subdivision (3) of subsection
53 (a) of section 16-50i, as amended by [this act] substitute house bill 6508
54 of the current session: (A) A description of the proposed electric
55 generating or storage facility; (B) a statement and full explanation of
56 why the proposed facility is necessary; (C) a statement of loads and
57 resources as described in section 16-50r; (D) safety and reliability
58 information, including planned provisions for emergency operations
59 and shutdowns; (E) estimated cost information, including plant costs,
60 fuel costs, plant service life and capacity factor, and total generating
61 cost per kilowatt-hour, both at the plant and related transmission, and
62 comparative costs of alternatives considered; (F) a schedule showing
63 the program for design, material acquisition, construction and testing,
64 and operating dates; (G) available site information, including maps
65 and description and present and proposed development, and
66 geological, scenic, ecological, seismic, biological, water supply,
67 population and load center data; (H) justification for adoption of the
68 site selected, including comparison with alternative sites; (I) design
69 information, including description of facilities, plant efficiencies,
70 electrical connections to system, and control systems; (J) description of
71 provisions, including devices and operations, for mitigation of the
72 effect of the operation of the facility on air and water quality, for waste
73 disposal, and for noise abatement, and information on other
74 environmental aspects; (K) a listing of federal, state, regional, district
75 and municipal agencies from which approvals either have been
76 obtained or will be sought covering the proposed facility, copies of
77 approvals received and the planned schedule for obtaining those
78 approvals not yet received.

79 Sec. 502. Subsection (a) of section 16-50l of the general statutes, as
80 amended by sections 4 and 5 of substitute house bill 6508 of the current

81 session, is repealed and the following is substituted in lieu thereof
82 (*Effective July 1, 2003*):

83 (a) (1) To initiate a certification proceeding, an applicant for a
84 certificate shall file with the council an application, in such form as the
85 council may prescribe, accompanied by a filing fee of not more than
86 twenty-five thousand dollars, which fee shall be established in
87 accordance with section 16-50t, and a municipal participation fee of
88 [twenty-five] thirty thousand dollars to be deposited in the account
89 established pursuant to section 15 of [this act] substitute house bill
90 6508 of the current session, except that an application for a facility
91 described in subdivision (5) or (6) of subsection (a) of section 16-50i, as
92 amended by [this act] substitute house bill 6508 of the current session,
93 shall not pay such municipal participation fee. An application shall
94 contain such information as the applicant may consider relevant and
95 the council or any department or agency of the state exercising
96 environmental controls may by regulation require, including the
97 following information:

98 (A) In the case of facilities described in subdivisions (1), (2) and (4)
99 of subsection (a) of section 16-50i, as amended by [this act] substitute
100 house bill 6508 of the current session: (i) A description, including
101 estimated costs, of the proposed transmission line, substation or
102 switchyard, covering, where applicable underground cable sizes and
103 specifications, overhead tower design and appearance and heights, if
104 any, conductor sizes, and initial and ultimate voltages and capacities;
105 (ii) a statement and full explanation of why the proposed transmission
106 line, substation or switchyard is necessary and how the facility
107 conforms to a long-range plan for expansion of the electric power grid
108 serving the state and interconnected utility systems, that will serve the
109 public need for adequate, reliable and economic service; (iii) a map of
110 suitable scale of the proposed routing or site, showing details of the
111 rights-of-way or site in the vicinity of settled areas, parks, recreational
112 areas and scenic areas, and showing existing transmission lines within
113 one mile of the proposed route or site; (iv) justification for adoption of
114 the route or site selected, including comparison with alternative routes

115 or sites which are environmentally, technically and economically
116 practical; (v) a description of the effect of the proposed transmission
117 line, substation or switchyard on the environment, ecology, and scenic,
118 historic and recreational values; (vi) a justification for overhead
119 portions, if any, including life-cycle cost studies comparing overhead
120 alternatives with underground alternatives, and effects described in (v)
121 of this subparagraph of undergrounding; (vii) a schedule of dates
122 showing the proposed program of right-of-way or property
123 acquisition, construction, completion and operation; and (viii)
124 identification of each federal, state, regional, district and municipal
125 agency with which proposed route or site reviews have been
126 undertaken, including a copy of each written agency position on such
127 route or site; and

128 (B) In the case of facilities described in subdivision (3) of subsection
129 (a) of section 16-50i, as amended by [this act] substitute house bill 6508
130 of the current session: (i) A description of the proposed electric
131 generating or storage facility; (ii) a statement and full explanation of
132 why the proposed facility is necessary; (iii) a statement of loads and
133 resources as described in section 16-50r; (iv) safety and reliability
134 information, including planned provisions for emergency operations
135 and shutdowns; (v) estimated cost information, including plant costs,
136 fuel costs, plant service life and capacity factor, and total generating
137 cost per kilowatt-hour, both at the plant and related transmission, and
138 comparative costs of alternatives considered; (vi) a schedule showing
139 the program for design, material acquisition, construction and testing,
140 and operating dates; (vii) available site information, including maps
141 and description and present and proposed development, and
142 geological, scenic, ecological, seismic, biological, water supply,
143 population and load center data; (viii) justification for adoption of the
144 site selected, including comparison with alternative sites; (ix) design
145 information, including description of facilities, plant efficiencies,
146 electrical connections to system, and control systems; (x) description of
147 provisions, including devices and operations, for mitigation of the
148 effect of the operation of the facility on air and water quality, for waste

149 disposal, and for noise abatement, and information on other
150 environmental aspects; (xi) a listing of federal, state, regional, district
151 and municipal agencies from which approvals either have been
152 obtained or will be sought covering the proposed facility, copies of
153 approvals received and the planned schedule for obtaining those
154 approvals not yet received.

155 (2) On or after December 1, 2004, the filing of an application
156 pursuant to subdivision (1) of this subsection shall initiate the request-
157 for-proposal process, except for an application for a facility described
158 in subdivision (5) or (6) of subsection (a) of section 16-50i, as amended
159 by [this act] substitute house bill 6508 of the current session.

160 (3) Notwithstanding the provisions of this subsection, an entity that
161 has submitted a proposal pursuant to the request-for-proposal process
162 may initiate a certification proceeding by filing with the council an
163 application containing the information required pursuant to this
164 section, accompanied by a filing fee of not more than twenty-five
165 thousand dollars, which fee shall be established in accordance with
166 section 16-50t, and a municipal participation fee of [twenty-five] thirty
167 thousand dollars to be deposited in the account established pursuant
168 to section 15 of [this act] substitute house bill 6508 of the current
169 session, not later than thirty days after the Connecticut Energy
170 Advisory Board performs the evaluation process pursuant to
171 subsection (f) of section 19 of [this act] substitute house bill 6508 of the
172 current session.

173 Sec. 503. Section 15 of substitute house bill 6508 of the current
174 session is repealed and the following is substituted in lieu thereof
175 (*Effective July 1, 2003, and applicable to applications for a certificate of*
176 *environmental compatibility and public need filed after July 1, 2003*):

177 (a) There is established an account to be known as the "municipal
178 participation account", within the General Fund, which shall be a
179 separate, nonlapsing account. There shall be deposited in the account
180 the municipal participation fees received pursuant to subdivisions (1)

181 and (3) of subsection (a) of section 16-50l of the general statutes, as
182 amended by this act. The interest derived from the investment of the
183 account shall be credited to the fund. Any balance remaining in the
184 account at the end of any fiscal year shall be carried forward in the
185 account for the fiscal year next succeeding.

186 (b) Payments from the account shall be made upon authorization by
187 the State Treasurer not later than sixty days after receipt of an
188 application for a proposed facility, except for a facility described in
189 subdivisions (5) and (6) of subsection (a) of section 16-50i of the general
190 statutes, as amended by [this act] substitute house bill 6508 of the
191 current session, to each municipality entitled to receive a copy of such
192 application under section 16-50l of the general statutes, as amended by
193 this act, in order to defray expenses incurred by such municipalities in
194 participating as a party to a certification proceeding, except for a
195 proceeding on an application for a facility described in subdivision (5)
196 or (6) of subsection (a) of section 16-50i of the general statutes, as
197 amended by [this act] substitute house bill 6508 of the current session.
198 Any moneys remaining at the end of such proceeding shall be
199 refunded to the applicant in even amounts. Where more than one
200 municipality seeks moneys from such account, the council shall evenly
201 distribute such moneys among the municipalities. No municipality
202 may receive moneys from the account in excess of [twenty-five] thirty
203 thousand dollars. No municipality may receive moneys from the
204 account in excess of the dollar amount such municipality has expended
205 from its own municipal funds. A municipality that has received
206 moneys from the account in excess of the costs it incurred in
207 participating in the certification proceeding, as determined by the
208 council, shall refund such excess moneys to the account upon the
209 conclusion of such proceeding.

210 (c) In administering the moneys in the account, the State Treasurer
211 shall verify that the subject municipality (1) actually participated as a
212 party to the subject certification proceeding, and (2) actually spent the
213 money it claims to have spent on participating in the subject
214 certification proceeding."